



Information Privacy and Security Council

Meeting Minutes

March 16, 2016

Keoni 'Ana Bldg 1177 Alakea St. Room 304 Honolulu, HI 96813	Wailuku State Office Bldg. 54 South High St. Third Floor VCC Wailuku, HI 96793	Lihu'e State Office Bldg. 3060 'Eiwa St. Basement VCC Lihu'e, HI 96766	Hilo State Office Bldg. 75 Aupuni St. Basement VCC Hilo, HI 96720
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MEMBERS / DESIGNEES PRESENT	
Member Name	Department
Decasa, Meliton Jr.	Department of Education
DeMello, Keith (designee; acting chair)	Office of Enterprise Technology Services (ETS)
Ho, Keith (designee)	City & Council of Honolulu
Ito, Jodi (designee)	University of Hawai'i
Jacobs, Don	County of Hawai'i
Keane, David	Department of Human Resources Development
Norman, Nyree	County of Kaua'i
Sherman, Karen	County of Maui
Thornton, Kevin	Judiciary
Tungol, Wilfredo (designee)	Department of Health
Yong, Lim	Department of Human Services

MEMBERS ABSENT / NOT REPRESENTED	
Member Name	Department
Taniguchi, Carol	Legislature

I. **Call to Order**

Acting Chair DeMello called the meeting to order at 1:03 p.m. Quorum was established with eleven members present. *Note: The twelve-member Information Privacy and Security Council (IPSC) requires eight members to establish quorum and to take official Council action.*

II. **Approval of Previous Meeting Minutes**

Member Yong moved for the IPSC to approve the January 2016 regular meeting minutes, and Member Thornton seconded the motion. The IPSC adopted the meeting minutes by unanimous consent.

III. **Public Testimony on Agenda Items**

None.

IV. **Status of National Institute of Standards and Technology (NIST) Privacy Risk Management Framework**

The NIST Privacy Risk Management Framework appears to still be under review, as no update has been posted on the NIST website since the last IPSC meeting. ETS has inquired with the NIST point of contact regarding the framework's status and will continue to monitor NIST announcements.

V. **Modernization of Collection Process for State and County Agencies' Submission of Personal Information System Annual Reports**

Acting Chair DeMello provided a presentation on a possible solution that leverages ETS' eSign Services to modernize the collection process (see attached). It is one of several solutions being evaluated by ETS. It was noted that another system used by the Department of Education is Nintex for SharePoint.

The goal is to provide a secure, easy-to-use electronic process for: Verification/Registration of Agency Privacy Designees; and Collection of Annual PI System Reports. Benefits include improved workflow leading to increased compliance. ETS anticipates no additional charge under the existing Adobe enterprise license agreement.

In discussion, members noted that identifying the appropriate workflow would be necessary before launch; for example, accommodating whether jurisdictions collect PI system plans centrally, versus having each agency provide them directly. eSign would allow agency privacy designees to attach reports directly as part of their response and sign or approve their reports. Members noted that a beneficial feature would be the solution's dashboard available to users showing the status of each eSign request. It was asked whether eSign user seats could be provided to non-Executive Branch personnel without additional cost; for example, IPSC members and/or all agency privacy designee. ETS will report on this and provide a workflow recommendation for consideration by the IPSC at the next meeting.

VII. **Update on Cyber Insurance for State of Hawai'i Agencies**

Acting Chair DeMello reported that ETS continues to conduct due diligence on cyber insurance for State agencies. ETS is surveying various departments to determine risk levels and scope. He noted that it may not be appropriate or beneficial for all agencies to be under one agreement/plan, since risk scopes differ greatly. This ongoing due diligence will take time, and agencies are advised to seek out options if they have identified a need for cyber insurance to mitigate risk. Member Ito mentioned that the University of Hawai'i is also evaluating cyber insurance options.

VIII. **Legislative Updates; Discussion and Appropriate Action**

The status of the following legislation was discussed:

a. S.B. 1186, Relating to Personal Information

This bill proposes the expansion of the definition of "personal information" (PI/PII) and makes other changes regarding notifying persons affected by a security breach of personal information. This bill is effectively dead. IPSC members discussed whether other bills in this session could provide a vehicle for the amendments to the definition to PI that S.B. 1186 provided. Ultimately, IPSC members favored proposing a new bill for the 2017 legislative session and working with the Administration on its introduction.

b. H.B. 1739, Relating to Employment

This bill proposes to prohibit, subject to certain exemptions, employers from requiring, requesting, or coercing employees or potential employees to provide access to their personal social media accounts. At the time of this meeting, the measure seemed to be

moving forward. It was discussed in relation to S.B. 1186 but does not directly impact the bill.

c. **S.B. 2807, Relating to Enterprise Technology Services**

This bill consolidates the Office of Information Management and Technology and the Information and Communication Services Division of the Department of Accounting and General Services, including all related information technology functions, into ETS under the direction of the Chief Information Officer. This bill appears to be moving forward. The measure includes a “housekeeping” amendment based on a recommendation from the IPSC so that the CIO (versus the Comptroller, as now in statute) may hire employees to support information privacy and security, an ability the IPSC identified as being more appropriately assigned to the CIO as IPSC chair. Further, the measure adds a representative of the Department of Commerce and Consumer Affairs to the IPSC membership.

IX. Announcements and Good of the Order

The next meeting date is Wednesday, April 20, 2016, 1 p.m.

Acting Chair DeMello noted that some members may not be receiving IPSC Outlook meeting invitations and/or members’ replies to those invitations are not being received in return. This may be due to platform issues, since the Legislature, Department of Education, and University of Hawai’i use different platforms/applications for email. While members have already been sent Outlook invitations for all 2016 regular meetings, moving forward DeMello will confirm attendance each month by sending an email on the Monday prior to each meeting (requesting same-day response) so that quorum can be determined with a full day’s notice. To further assist members as well as the public, dates for all regular meetings for the year will be added to the IPSC website (currently, only the next schedule meeting is posted).

X. Executive Session

Prior to adjourning, Member Yong motioned for the IPSC to enter executive session to discuss additional cyber security issues, and Member Ito seconded the motion. The IPSC was in executive session from 1:58 to 2:21 p.m., during which no official action was taken. Member Ho departed at 2:05 p.m.

XI. Adjournment

The meeting adjourned at 2:21 p.m.

Respectfully Submitted,



Keith A. DeMello
Senior Communications Manager
Office of Enterprise Technology Services
State of Hawai’i

May 19, 2016

Date